



0000064676

ORIGINAL**BEFORE THE ARIZONA CORPORATION COMMISSION**

57

COMMISSIONERS

2006 DEC 18 P 1:37

JEFF HATCH-MILLER - Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
BARRY WONG

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

DEC 18 2006

DOCKETED BY	nr
-------------	----

IN THE MATTER OF THE APPLICATION
OF ARIZONA WATER COMPANY FOR
AN EXTENSION OF ITS CERTIFICATE
OF CONVENIENCE AND NECESSITY AT
CASA GRANDE, PINAL COUNTY,
ARIZONA

DOCKET NO. W-01445A-04-0773**CERTIFICATE OF FILING**

On May 5, 2005 the Commission entered Decision No. 67826 in the above-captioned docket. Decision No. 67826 approved Arizona Water Company's (the "Company") application for an extension of its Certificate of Convenience and Necessity for its Casa Grande system. It also contained the following ordering paragraph:

IT IS THEREFORE ORDERED that the application of Arizona Water Company for an extension of its Certificate of Convenience and Necessity for the operation of a water utility in the area more fully described in Exhibit A be, and hereby is approved, provided that Arizona Water Company complies with the conditions set forth in Finding of Fact No. 18 hereinabove.

Finding of Fact No. 18 contained Staff's recommendation that the Company's application be subject to the following conditions:

- 1 ▪ that the Company charge its existing rates and charges for its Casa
2 Grande system in the proposed extension area;
- 3
- 4 ▪ that the Company file, within 365 days of the effective date of this
5 Decision, with the Commission's Docket Control and the Commission's
6 Utilities Division Director ("Director"), a copy of the developer's Certificate
7 of Assured Water Supply issued by the Arizona Department of Water
8 Resources for the area described in Exhibit A;
- 9
- 10 ▪ that the Company file, within 365 days of the effective date of this
11 Decision, with the Commission's Docket Control and the Director, a copy
12 of an executed main extension agreement; and
- 13
- 14 ▪ that the Company file, within 365 days of the effective date of this
15 Decision, with the Commission's Docket Control and the Director, a copy
16 of the Certificate of Approval to Construct issued by the Arizona
17 Department of Environmental Quality for the construction of mains in the
18 extension area.
- 19

20 On February 3, 2006, in compliance with the latter two paragraphs, above, the
21 Company filed copies of the main extension agreements and Certificates of Approval to
22 Construct (copies of which are attached to each main extension agreement). The copies
23 of the main extension agreements and certificates of approval to construct were
24 attached thereto, collectively, as Exhibit A.

25
26
27
28

1 The Company is now filing, and has attached copies thereof to this Certificate of
2 Filing, copies of the developer's Certificate of Assured Water Supply issued by the
3 Arizona Department of Water Resources.

4
5 It is now the Company's position, and it will hold to this position unless the Staff
6 informs it otherwise, that it has now fully complied with the conditions of Decision No.
7 67826, and that no additional post-hearing filings are necessary.

8
9 RESPECTFULLY SUBMITTED this 18th day of December 2006.

10 ARIZONA WATER COMPANY

11
12
13 By: Robert W. Geake
14 Robert W. Geake
15 Vice President and General Counsel
16 ARIZONA WATER COMPANY
17 Post Office Box 29006
18 Phoenix, Arizona 85038-9006
19
20
21
22
23
24
25
26
27
28

1 Original and thirteen (13) copies of the foregoing filed the 18th day of December 2006
2 with:

3 Docket Control Division
4 Arizona Corporation Commission
5 1200 West Washington Street
6 Phoenix, Arizona 85007

7 A copy of the foregoing was mailed this 18th day of December 2006 to:

8 Christopher Kempley, Chief Counsel
9 Legal Division
10 Arizona Corporation Commission
11 1200 West Washington Street
12 Phoenix, Arizona 85007

13 Ernest G. Johnson, Director
14 Utilities Division
15 Arizona Corporation Commission
16 1200 West Washington Street
17 Phoenix, Arizona 85007

18 Brian Bozzo
19 Compliance Officer
20 Utilities Division
21 Arizona Corporation Commission
22 1200 West Washington Street
23 Phoenix, Arizona 85007

24 By: Robert W. Beake

EXHIBIT A

DEPARTMENT OF WATER RESOURCES Office of Assured Water Supply

MEMORANDUM

TO: Sandra Fabritz-Whitney, Assistant Director, Water Management Division
FROM: Norma Coupaud, Office of Assured Water Supply
THROUGH: Douglas W. Dunham, Office of Assured Water Supply
RE: Request for Approval for a Certificate of Assured Water Supply

Application Summary:

<i>Name of Subdivision:</i>	Villago Phase 1 Parcels 13 & 14
<i>Owner Name:</i>	Morrison Homes, Inc., a Delaware Corporation with Morrison Homes of Arizona, Inc., an Arizona Corporation as Optionee
<i>DWR No.:</i>	27-401411.0003
<i>Number of Lots:</i>	225
<i>Residential Demand:</i>	102.39 af/yr
<i>Non-Residential Demand:</i>	78.26 af/yr
<i>Total Demand:</i>	180.65 af/yr
<i>Water Provider:</i>	Arizona Water Company - Casa Grande
<i>Type of Water Delivered:</i>	groundwater and Type 1 Grandfathered Rights
<i>Physical Availability:</i>	water availability letter / PAD, 2002
<i>Amount of Water Remaining for AWS:</i>	45,703.55
<i>Consistency with Management Goal:</i>	CAGRD membership dated 03/23/05
<i>Public Notice Expiration Date:</i>	02/21/2006

Certification for Issuance:

Based on the review of this application by the appropriate agency divisions, it has been determined complete and correct. No protests or other public comments were received following the closing date specified in the public notice. It is therefore recommended that the Department approve this application for a Certificate of Assured Water Supply.

Date: 02/22/06

Primary Reviewer: N. Coupaud

2nd Reviewer Date: 2-22-06

Secondary Reviewer: Pam H. Nagel

ARIZONA DEPARTMENT OF WATER RESOURCES

Office of Assured and Adequate Water Supply

2nd Floor, 3550 N. Central Ave., Phoenix, AZ 85012

Telephone 602 771-8585

Fax 602 771-8689



Janet Napolitano
Governor

Herbert R. Guenther
Director

February 24, 2006

VIA CERTIFIED MAIL

Ms. Christa Mc Junkin

Fluid Solutions

1121 East Missouri Avenue Suite 100

Phoenix, Arizona 85014

**Re: Certificate of Assured Water Supply
Villago Phase 1 Parcels 13 & 14
DWR File No. 27-401411.0003**

Ms. Mc Junkin:

The Department of Water Resources has determined that the criteria for an Assured Water Supply pursuant to A.R.S. § 45-576 and A.A.C. R12-15-701 *et seq.* have been met, and therefore the Director has decided to issue Assured Water Supply Certificate No. 27-401411.0003. Arizona Water Company - Casa Grande will provide water supply to the lots. The source of supply will be groundwater and Type 1 Grandfathered Rights. Based on current information, the Department has determined that the subdivision's total projected demand is 180.65 acre-feet per year for 225 lots, and the groundwater allowance is 180.65 acre-feet per year. The Certificate is attached. The Department suggests you record your Certificate of Assured Water Supply in the appropriate county recorders office. This will provide you with a permanent public record of the Certificate.

This determination is applicable only to the person or entity specified on the Certificate and for the plat reviewed by the Department. Information used in evaluating this application is available for review in the Department's files. Please contact us if questions arise.

Pursuant to A.R.S. § 41-1092.03, the Department is notifying you that the Director's determination and decision to issue the Certificate is an appealable agency action. You are entitled to appeal this action. If you wish to appeal this action, you must file a written appeal within thirty (30) days from receipt of this letter. I am providing you with a summary of the appeal process and an appeal form, should you elect to pursue this option.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Dunham".

Douglas W. Dunham, Manager
Office of Assured and Adequate Water Supply

DD/njc
Enclosures

Page 2

Subdivision Name: Villago Phase I Parcels 13 & 14

File Number: 27-401411.0003

Cliff Neal

CAGRD

P.O. Box 43020

Phoenix, AZ 85080-3020

Karen Modesto, Hydrology Division

Phoenix AMA Division

**STATE OF ARIZONA
DEPARTMENT OF WATER RESOURCES
CERTIFICATE OF ASSURED WATER SUPPLY**

This is to certify that

**Morrison Homes, Inc., a Delaware Corporation with
Morrison Homes of Arizona, Inc., an Arizona Corporation as Optionee**

have met the requirements of A.R.S. §§ 45-576, 45-579, and the applicable regulations, and

By powers vested in the Director of the Arizona Department of Water Resources by the
State of Arizona, and subject to the conditions contained in the applicable regulations,

Are issued this Certificate of Assured Water Supply for

**Villago Phase 1 Parcels 13 & 14
Section 33, Township 5 South, Range 6 East
GSRB&M Pima County, Pinal Active Management Area**

Sufficient water of adequate quality will be continuously available to satisfy the water demand of the referenced subdivision for at least one hundred years. The referenced subdivision consists of **225 lots** as described in the preliminary plat on file with the Department, and has an estimated water demand of **180.65 acre-feet per year**. The subdivision will be served **groundwater** by **Arizona Water Company - Casa Grande and Type 1 Grandfathered Rights**.

This Certificate is invalid as to any entity not named above. A subsequent owner of the referenced property may apply for a new certificate pursuant to A.A.C. R12-15-708, within 90 days of the change of ownership. This Certificate may be assigned pursuant to A.R.S. § 45-579.

Certificate Number: 27-401411.0003

Original Issue Date: 05/13/2005



ARIZONA DEPARTMENT OF WATER RESOURCES

Sandra Talavera-Whitney
Assistant Director

2/24/2006
Date

**STATE OF ARIZONA
DEPARTMENT OF WATER RESOURCES
CERTIFICATE OF ASSURED WATER SUPPLY**

This is to certify that

**Casa Grande Acquisitions L.L.C., an Arizona limited liability company as owner with HB
Land Development Co. 3, an Arizona corporation as optionee**

have met the requirements of A.R.S. §§ 45-576, 45-579, and the applicable regulations, and

By powers vested in the Director of the Arizona Department of Water Resources by the
State of Arizona, and subject to the conditions contained in the applicable regulations,

are issued this Certificate of Assured Water Supply for

**Village, Phase 1
Section 28 & 33, Township 5 South, Range 6 East
GSRB&M Pinal County, Pinal Active Management Area**

Sufficient water of adequate quality will be continuously available to satisfy the water demand of the referenced subdivision for at least one hundred years. The referenced subdivision consists of 999 lots as described in the preliminary plat on file with the Department, and has an estimated water demand of 816.92 acre-feet per year. The subdivision will be served groundwater by Arizona Water Company - Casa Grande and Type 1 Non-Irrigation Grandfathered Groundwater Right number 58-100307.0002.

This Certificate is invalid as to any entity not named above. A subsequent owner of the referenced property may apply for a new certificate pursuant to A.A.C. R12-15-708, within 90 days of the change of ownership. This Certificate may be assigned pursuant to A.R.S. § 45-579.

Certificate Number: 27-401411.0000



ARIZONA DEPARTMENT OF WATER RESOURCES

Mark Frank

Assistant Director

5/13/05

Date

**STATE OF ARIZONA
DEPARTMENT OF WATER RESOURCES
CERTIFICATE OF ASSURED WATER SUPPLY**

This is to certify that

**GMAC Model Home Finance, Inc., a Virginia Corporation as Owner
with U.S. Home Corporation, a Delaware Corporation and
Greystone Homes, Inc., a Delaware Corporation as Optionees**

have met the requirements of A.R.S. §§ 45-576, 45-579, and the applicable regulations, and

By powers vested in the Director of the Arizona Department of Water Resources by the
State of Arizona, and subject to the conditions contained in the applicable regulations,

Are issued this Certificate of Assured Water Supply for

**Villago Phase 1, Parcels 10, 11 & 12
Sections 28, & 33 Township 5 South, Range 6 East
GSRB&M Pinal County, Pinal Active Management Area**

Sufficient water of adequate quality will be continuously available to satisfy the water demand of the referenced subdivision for at least one hundred years. The referenced subdivision consists of 406 lots as described in the preliminary plat on file with the Department, and has an estimated water demand of 325.96 acre-feet per year. The subdivision will be served groundwater by Arizona Water Company - Casa Grande and Type 1 Grandfathered Rights.

This Certificate is invalid as to any entity not named above. A subsequent owner of the referenced property may apply for a new certificate pursuant to A.A.C. R12-15-708, within 90 days of the change of ownership. This Certificate may be assigned pursuant to A.R.S. § 45-579.

Certificate Number: 27-401411.0002



ARIZONA DEPARTMENT OF WATER RESOURCES

Sandra Salazar Whitney
Assistant Director

2/17/06
Date